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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,407	01/22/2001	Ronald Martin Tanner	56932.000007	7309

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EXAMINER

BASOM, BLAINE T

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,407

Applicant(s)

TANNER ET AL.

Examiner

Blaine Basom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13-23 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-23 and 25-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

The Examiner acknowledges the Applicants' amendments to claims 1, 13, 25, and 26, the Applicants' cancellation of claims 12 and 24, and the Applicants' addition of new claim 27.

Regarding the pending claims, the Applicants submit that Haun et al. (U.S. Patent No. 6,751,658), as described in the previous Office Action, fails to teach or suggest selecting an image to place on a client computer based on hardware information of the client, as has been added by amendment to independent claims 1 and 13, and which is expressed in new claim 27.

In response, the Examiner presents the U.S. Patent of Traversat et al. (U.S. Patent No. 6,052,720), which as shown below, teaches such a feature. Accordingly, the Applicants' arguments have been considered, but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, there is no antecedent basis for "the operating system" and "the application" recited in each of claims 6 and 18.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11, 13-23, and 25-27 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,052,720, which is attributed to Traversat et al. (and hereafter referred to as “Traversat”). In general, Traversat discloses a method for configuring a plurality of client computers from a single, remote server computer (see column 2, lines 49-55). Such a method allows a system administrator to efficiently propagate application changes, upgrades, and new applications to the plurality of client computers (see column 6, lines 19-31). Regarding the claimed invention, Traversat discloses that this server obtains and stores configuration information for each client computer (see column 6, lines 9-15). This configuration information is considered an “image” of the client computer, as it comprises information relating to the memory, storage, applications, and other features representing the overall configuration state of the client computer (for example, see column 8, line 60 – column 9, line 10).

In reference to claims 1 and 13, Traversat discloses that the server maintains a “server schema,” which is a tree-like data structure used to store the configuration information for each client computer on a network (see column 8, lines 37-50, in addition to figure 3). This schema is considered a “directory,” like that of the present application, as it is used to organize and access the configuration information of the client computers. Traversat discloses that the server schema

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includes a "platform" category (see column 8, lines 51-59), which particularly maintains the configuration information for each type of client computer on the network (see column 8, line 55 – column 9, line 10). As described in the previous paragraph, the configuration information for a client computer is considered an image for that client computer. Traversat thus teaches creating an image of the client computer, and placing a representation of the image into a directory. In addition, Traversat teaches a plurality of means to customize this image to form a customized image, which is then placed on the client computer. For example, the configuration information for the particular client computer may be overridden or augmented by configuration information maintained by a "profile category," a "users category," and a "group category," of the server schema, whereby these categories respectively store configuration information for particular uses of the client computer, particular users of the computer, and particular groups of users of the computer (see column 9, lines 11-67, in addition to column 10, line 29 – column 11, line 67). When a client computer establishes a connection with the server, the client computer sends to the server its profile information, which includes hardware information regarding the client computer, such as its computer type (for example, see column 4, lines 47-62; and column 10, lines 29-67). In response, and based on the client's hardware information, the server computer arranges and sends configuration data to the client computer according to a set of rules, considered an "imaging server policy," the set of rules comprising an order by which the above-described categories override each other in terms of configuration data (see column 4, lines 20-47); particularly, the server computer identifies, within the above described platform category, configuration information corresponding to the specified type of client computer, and augments or overrides this information with information from the profile category, the users category, and

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the group category (see column 10, line 29 – column 11, line 67). Thus in summary, Traversat teaches: obtaining hardware information from the client computer, wherein the hardware information includes at least one of computer type, storage device size, and amount of random access memory; applying an imaging server policy, wherein the imaging server policy comprises at least one rule that is applied to the client computer based on its hardware information; identifying, based on the at least one rule, an image that is to be placed on the client computer; placing a representation of the image of the client computer into a directory, in particular, into the platform category of a server schema; creating at least one customized image, wherein the at least one customized image comprises the image of the client computer and one or more additional images; and placing the customized image onto the client computer. Traversat is therefore considered to teach a method like that of claim 1, which is for imaging a device. A server implementing such a method is considered a system like that of claim 13.

In reference to claims 2-6 and 14-18, the platform category in the server schema of Traversat maintains the configuration information, i.e. image, for each type of client computer on the network, as is described in the previous paragraph. In this platform category, there are a number of entries, each referring to a particular type of client computer existing on the network (see column 8, line 60 – column 9, line 4). Associated with each entry are leaf nodes, which specify the application configurations of the applications stored on the associated computer type (see column 9, lines 2-10). Each entry thus represents a device, and is therefore considered a “device object” like recited in claims 2-4 and 14-16, and an “object” like recited in claims 5 and 17. Accordingly, Traversat teaches creating a device object to represent the client computer in the directory, and associating at least one image of the client computer with the device object, as

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is expressed in claims 2, 4, 5, 14, 16, and 17. Furthermore, and specifically regarding claims 3 and 15, the above-described imaging server policy of Traversat comprises an order by which the configuration data stored in a category of the server schema overrides the configuration data presented by the other server schema categories, as is described in the previous paragraph. Thus this set of rules is associated with the platform category of the server schema, and also, each device object maintained by in the platform category. As per claims 6 and 18, the image of the client computer, as maintained by its entry in the above-described platform category, may be associated with additional objects in the server schema. For example, Traversat discloses that the configuration information within the platform category may be augmented or overridden by configuration information within the profile category, which associated with the specific client computer by means of a unique ID (see column 10, line 57 – column 11, line 23). The configuration information associated with the client computer, as maintained by the profile category of the server schema, is considered a “base image” of the client computer, like recited in claims 6 and 18, as it comprises only configuration information of the client computer, not an operating system or an application. As described above, the configuration information maintained in the platform and profile categories of the server schema may be associated with additional configuration information, for example, from the users and user groups categories within the server schema (see column 11, lines 12-67). Thus with respect to claims 6 and 18, Traversat teaches: creating a base image of the client computer that does not comprise an operating system or an application, associating at least one image of the client computer, and one or more additional images to the base image, and creating and updating a customized image, by combining the based image, the image of the device, and the one or more additional images.

In regard to claims 7 and 19, customizing the image of each client computer comprises overriding or adding to the configuration information of the platform category by configuration information maintained by the profile category, users category, and group category of the server schema, as is described above. This configuration information maintained in each server schema category is understood to be maintained in a file set, as the categories enable the server to distinguish one unit of configuration information from another. Therefore, customizing the image comprises the step of defining one or more file sets wherein the file sets are inserted into the image.

With respect to claims 8 and 20, the images maintained by the above-described profile category, users category, and group category of the server schema each comprise application configuration information regarding particular users or groups of users for the client computer (see column 9, lines 27-67). The profile category, users category, and group category therefore comprise application images associated with one or more user characteristics. As is described above, customizing the image of each client computer comprises overriding or adding to the configuration information of the platform category by configuration information maintained by this profile category, users category, and group category of the server schema. Consequently, customizing the image comprises the step of inserting one or more application images associated with one or more user characteristics into the image.

Referring to claims 9 and 21, a client computer is a microcomputer or terminal connected to a network, as is known in the art. A client computer may thus be a workstation. Consequently, the above-described method of Traversat, which is for configuring a plurality of such client computers, is applicable to workstations as well.

Concerning claims 10-11 and 22-23, Traversat teaches creating a device object, which is maintained as an entry in the platform category of the server schema, as is described above in the rejection for claims 2-6. Configuration data, i.e. an image, for a particular type of client computer is associated with each entry (for example, see column 8, line 60 – column 9, line 10). Accordingly, each client computer image is associated with a device object according to an established policy in the directory: the image must correspond with, and be applicable to, the particular device object. Traversat discloses that this configuration information associated with a particular computer type within the platform category comprises all possible configurations applicable to the computer (for example, see column 8, line 60 – column 9, line 10). Such configurations are each is considered an “image object,” like recited in claims 11 and 23. Accordingly, Traversat teaches creating an image object and directly associating the image object with a device object, wherein at least one specified image is applied to the device regardless of rules specified in an imaging server policy.

With respect to claims 25 and 26, Traversat discloses that a client computer provides its hardware information, particularly its device type, during a boot process, whereby a server places a customized image on a device during the boot process (see column 7, lines 11-30; and column 10, line 29 – column 11, line 23).

Concerning claim 27, Traversat discloses that a server maintains a “server schema,” which is a tree-like data structure used to store the configuration information for each client computer on a network, as is described above. This schema is considered a “directory,” like that of the present application, as it is used to organize and access the configuration information of the client computers. Traversat discloses that the server schema includes a “platform” category

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(see column 8, lines 51-59), which particularly maintains the configuration information for each type of client computer on the network (see column 8, line 55 – column 9, line 10). As described above, such configuration information is considered an image of the client computer. Traversat thus teaches creating an image of the client computer, and placing a representation of the image into a directory. In addition, Traversat teaches a plurality of means to customize this image to form a customized image, which is then placed on the client computer. For example, the configuration information for the particular client computer may be overridden or augmented by configuration information maintained by a “profile category,” a “users category,” and a “group category,” of the server schema, whereby these categories respectively store configuration information for particular uses of the client computer, particular users of the computer, and particular groups of users of the computer (see column 9, lines 11-67, in addition to column 10, line 29 – column 11, line 67). This configuration information maintained in each server schema category is understood to be maintained in a file set, as the categories enable the server to distinguish one unit of configuration information from another. Therefore, customizing the image comprises the step of defining one or more file sets wherein the file sets are inserted into the image. When a client computer establishes a connection with the server, the client computer sends to the server its profile information, which includes hardware information regarding the client computer, such as its computer type (for example, see column 4, lines 47-62; and column 10, lines 29-67). In response, and based on the client’s hardware information, the server computer arranges and sends configuration data to the client computer according to a set of rules, considered an “imaging server policy,” the set of rules comprising an order by which the above-described categories override each other in terms of configuration data (see column 4, lines 20-

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47); particularly, the server computer identifies, within the above described platform category, configuration information corresponding to the specified type of client computer, and augments or overrides this information with information from the profile category, the users category, and the group category (see column 10, line 29 – column 11, line 67). Thus in summary, Traversat teaches: obtaining hardware information from the client computer, wherein the hardware information includes at least one of computer type, storage device size, and amount of random access memory; defining one or more file sets to include selected files; applying an imaging server policy, wherein the imaging server policy comprises at least one rule that is applied to the client computer based on its hardware information; identifying, based on the at least one rule, an image that is to be placed on the client computer; identifying, based on at least one rule, one or more file sets to be inserted into the image; placing a representation of the image of the client computer into a directory, in particular, into the platform category of a server schema; and placing the customized image onto the client computer. Traversat is therefore considered to teach a method like that of claim 27, which is for dynamically customizing at least one image that is placed on a device.

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Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. The applicant is required under 37 C.F.R. §1.111(C) to consider these references fully when responding to this action. The Larvoire et al. and Fisher et al. U.S. Patents cited therein each present a method for placing an image on a device according to its hardware configuration.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

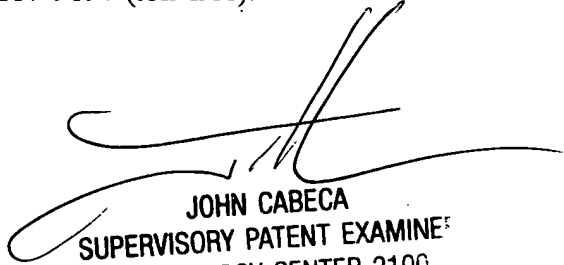
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (571) 272-4044. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

btb



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